

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY SEOUL

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E.O. 11652: GDS

TAGS: ACOM, ETEL

SUBJECT: APO PRIVILEGES FOR VOLUNTARY AGENCIES AND

NON DOD CONTRACTORS

REF: SEOUL 727 AND 728

1. DOD HAS CONFIRMED IT CANNOT ALTER DECISION TO TERMINATE APO PRIVILEGES IN KOREA FOR NON-DOD CONTRACTORS, VOLAGS, AAFI AND FULBRIGHTERS. EARLIER DOD REVIEW MADE AT REQUEST OF EMBASSY SAIGON AND INTERESTED CONGRESSMEN UPHELD SIMILAR DECISION WITH RESPECT TO VIETNAM. DOD INFORMS US THAT THIS POSITION APPLIES WORLDWIDE.

2. IN KOREAN CASE, WE NOTE THAT ARTICLE XX OF SOFA AND AGREED MINUTES RESTRICT USE OF MILITARY POSTAL FACILITIES TO U.S. MILITARY, DOD CIVILIAN EMPLOYEES, OTHER USG EMPLOYEES AND THEIR DEPENDENTS. WITHDRAWAL OF APO PRIVILEGES FROM NON-DOD CONTRACTORS AND OTHER AFFECTED

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GROUPS WOULD CORRECT PAST PRACTICES NOT CLEARLY COVERED

BY SOFA LANGUAGE.

3. WE RECOGNIZE USG INTEREST IN OPERATIONS OF USAID CONTRACTORS, AAFLI AND FULBRIGHT PROGRAM AND CONSULAR INTEREST IN ADOPTION ACTIVITIES OF VOLUNTARY AGENCIES. WE ARE THEREFORE GIVING CAREFUL CONSIDERATION TO AUTHORIZING USE OF DIPLOMATIC POUCH FOR THESE GROUPS UNDER CERTAIN CIRCUMSTANCES AND LIMITATIONS. DEPARTMENT LAWYERS HAVE

POINTED TO STRICT LIMITATIONS ON USE OF POUCH CONTAINED IN ARTICLE 27 (4) OF VIENNA CONVENTION ON DIPLOMATIC RELATIONS (TIAS 7502) AND PERTINENT DEPARTMENT REGULATIONS IN 5 FAM 332. A SUBSEQUENT MESSAGE WILL DISCUSS POUCH QUESTION IN MORE DETAIL.

4. CONTINUATION OF APO PRIVILEGES FOR FULBRIGHT GRANTEES IN VIETNAM WAS APPARENTLY AN OVERSIGHT WHICH HAS BEEN CORRECTED.

5. WITH REGARD TO PROBLEMS CAUSED BY LOSS OF APO PACKAGE PRIVILEGES BY VOLAGS, WE CAN SUGGEST TWO POSSIBLE SOLUTIONS. U.S. NAVY'S QUOTE OPERATION HANDCLASP UNQUOTE TRANSPORTS GOODS INTENDED FOR CHARITABLE PURPOSES ABROAD ON NO-COST, SPACE-AVAILABLE BASIS. THIS PROGRAM HAS BEEN PARTICULARLY HELPFUL TO VOLUNTARY AGENCIES IN VIETNAM, AND VOLAGS MAY WISH TO SEEK FURTHER DETAILS FROM U.S. NAVY IN KOREA OR U.S. SECOND, USAID HAS LIMITED FUNDS TO PAY TRANSPORTATION COSTS FOR VOLAG SUPPLIES. AGENCIES SHOULD COMMUNICATE WITH THE AID ADVISORY COMMITTEE ON VOLUNTARY FOREIGN AID FOR INFORMATION (ROOM 3731A, DEPT. OF STATE).

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